

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SIMPLOT AB RETAIL, INC.,
Plaintiff,

v.

LAZY S B AG SERVICES, LLC,
Defendant.

W-24-CV-00020-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 9. The report recommends Plaintiff's Motion for Default Judgment (ECF No. 8) be **GRANTED**. The report and recommendation was filed on June 18, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 Advisory Committee’s Note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske (ECF No. 9) is **ADOPTED**.

IT IS FURTHER ORDERED that the Motion is **GRANTED** and Plaintiff be awarded \$104,101.21 in principal, \$31,489.73 in prejudgment interest, \$6,239.02 in attorneys fees.

IT IS FINALLY ORDERED that plaintiff shall submit a proposed order of final judgment that include a calculation of post-judgment interest. That filing should be completed no later than 21 days after entry of this order.

SIGNED this 19th day of August, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE